

Official Form 417A (12/15)

Case No 19-57632-pmb

U.S. DISTRICT COURT  
NORTHERN DISTRICT  
OF GEORGIA

2019 OCT 29 AM 11:51

[Caption as in Form 416A, 416B, or 416D, as appropriate]

**NOTICE OF APPEAL AND STATEMENT OF ELECTION**

REGINA THOMAS  
CLERK  
Richard Smith  
CITY CLERK

**Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s): KENNEDY C. UZOMBA
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ☐ Plaintiff  
☐ Defendant  
☐ Other (describe) \_\_\_\_\_

For appeals in a bankruptcy case and not in an adversary proceeding.

- ☒ Debtor  
☐ Creditor  
☐ Trustee  
☐ Other (describe) \_\_\_\_\_

**Part 2: Identify the subject of this appeal**

1. Describe the judgment, order, or decree appealed from: Order Granting Relief from Stay (#38) [Doc. 80]
2. State the date on which the judgment, order, or decree was entered: October 28, 2019

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

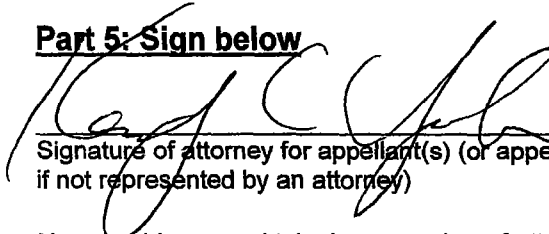
1. Party: Kennedy Uzomba Debtor  
ProSe Kennedy C. Uzomba  
P.O. Box 2636  
Acworth G.A. 30102  
(770) 369-2834
2. Party: Loan Depot.com Attorney: Brian K. Jordan  
3575 Piedmont Rd NE, Ste #500  
Atlanta GA 30305  
(404) 994-7460

**Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 5: Sign below**

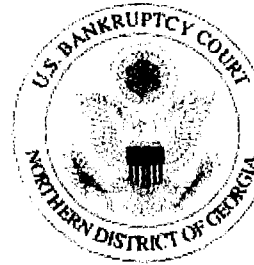
  
Signature of attorney for appellant(s) (or appellant(s)  
if not represented by an attorney)

Date: 10/29/2019

Name, address, and telephone number of attorney  
(or appellant(s) if not represented by an attorney):

Kennedy C. Uzomba  
P.O. Box 2636  
Acworth, GA 30102  
(770) 369-2839

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.



**IT IS ORDERED as set forth below:**

**Date: October 28, 2019**

*Paul Baisier*

**Paul Baisier**  
**U.S. Bankruptcy Court Judge**

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**IN RE:**

**KENNEDY C. UZOMBA,  
Debtor.**

**LOANDEPOT.COM, LLC,  
Movant,**

**v.**

**KENNEDY C. UZOMBA, Debtor,  
JORDAN E. LUBIN, Trustee,  
Respondent(s).**

**CASE NO. 19-57632-pmb**

**CHAPTER: 7**

**JUDGE: HONORABLE PAUL BAISIER**

**CONTESTED MATTER**

**ORDER GRANTING MOTION FOR RELIEF FROM STAY (#38)**

The above styled Motion filed, September 24, 2019 (Docket No. 38) was called for hearing on October 15, 2019 upon Notice of Hearing to each of the above-captioned parties in interest. Movant asserts that the parties were properly served. Present were Debtor, Kennedy C. Uzomba

who opposed the Motion and Brian K. Jordan, attorney for Movant. Upon consideration of the record and the arguments of the parties;

IT IS HEREBY ORDERED that the 11 USC §362(a) automatic stay is modified for Movant herein, its successors and assigns, regarding the real property commonly known as 1808 NW Crestwood Dr, Acworth, Georgia 30102.

FURTHER ORDERED that Movant, its successors and assigns, may assert its rights, including, but not limited to, the institution and completion of foreclosure proceedings, the collection of reasonable fees, and may assert all of its respective rights and remedies under applicable law, as to its collateral.

FURTHER ORDERED that upon completion of any foreclosure sale, any funds which may be in excess of the amount due to Movant and to any subordinate lienholder(s) properly entitled to receive proceeds under applicable State law, shall be paid to the Trustee for the benefit of the Estate.

FURTHER ORDERED that Movant shall comply with any applicable non-bankruptcy rules with respect to loan modifications and dual tracking.

FURTHER ORDERED that the provisions of Bankruptcy Rule 4001(a)(3) are waived.

[END OF DOCUMENT]

PREPARED AND PRESENTED BY:

/s/ Brian K. Jordan

Brian K. Jordan, Bar No.: 113008  
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DISTRIBUTION LIST

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